IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO.1421 OF 2005

Excel Crop Care Ltd. ....Plaintiff
V/s.
Industries and Chemicals ....Defendant

Mr.Amit Shroff for the Plaintiff.
None for the Defendant.

CORAM : S.J. VAZIFDAR, J.
DATED : 14TH DECEMBER, 2005.

P.C. :

1. The suit is filed to recover the balance price of the goods sold and delivered by the Plaintiff to the Defendant.

2. A compilation of the documents together with an affidavit of the advocate is filed. In the affidavit, it is stated that the original documents were in possession of the advocate ; that the documents were lost and that the police complaint in regard thereto has been filed. The same is taken on record and marked Exhibit "A" collectively.

3. There is no appearance. There is no written statement. In fact by a letter dated 13th April,

2002, the Defendant has clearly admitted its liability. There is nothing on record that militates against the Plaintiff’s claim. This is a fit case where the averments and the submissions in the plaint ought to be accepted as correct.

4. In the circumstances, the suit is decreed as prayed with costs.

. Refund as per rules.